


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Our Ref: 1887-111 MIS:bh

In re patent application

Serial No. 08/307,621
Applicant: Kenneth N. Dolynchuk et al
Title: USE OF TRANSGLUTAMINASE INHIBITOR FOR
THE TREATMENT OF SCAR TISSUE
Filed: March 23, 1992
Group No. 1211
Examiner: L. Leary



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copy

November 28, 1996

PETITION TO WITHDRAW APPLICATION FROM ISSUE

The Commissioner of Patents and Trademarks,
Washington, D.C. 20231,
U.S.A.

Dear Sir:

Petition is hereby made under the provisions of 37 C.F.R. 1.313(b) (5) to withdraw this application from issue for the purpose of consideration of an information disclosure statement under 37 C.F.R. 1.97 in a File Wrapper continuation application. The Petition Fee is enclosed.

Following payment of the Issue Fee herein and in the course of discussions with a prospective business partner, applicants' attention was drawn to the existence of an Abstract of a Dissertation thesis by one of the inventors, published more than one year prior to applicants' effective U.S. filing date of March 23, 1992, being the filing date of the precursor PCT filing. A subsequent further enquiry has determined that the thesis from which the Abstract was taken also was published more than one year prior to the effective filing date of this application.

While not considered a sufficient disclosure to negate patentability of the allowed claims, nevertheless it is believed that the contents of the Abstract and the thesis are such that an Examiner might consider them material to patentability and hence the Abstract and thesis ought to be considered in relation to the allowed claims.

Under the circumstances, it is submitted that the Petition ought to be granted and the applicants be permitted to file a File Wrapper continuation application to abandon this application and permit the newly-discovered prior art to be considered.

Respectfully submitted,

Michael I. Stewart
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November 28, 1996



Op 1803

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Our Ref: 1887-111 MIS:as

In re patent application

No. 08/307,621
Applicant: K.N. Dolynchuk et al
Title: USE OF TRANSGLUTAMINASE INHIBITOR FOR
THE TREATMENT OF SCAR TISSUE
Filed: March 23/92
Group No. 1803
Examiner: R. Griffin

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May 20, 1997

RENEWED PETITION TO WITHDRAW APPLICATION FROM ISSUE
UNDER 37 C.F.R. 1.313(b) (5)

BY COURIER

The Commissioner of Patents
and Trademarks,
Washington, D.C. 20231,
U.S.A.

Dear Sir:

This Renewed Petition follows the Decision on
Petition dated May 9, 1997.

The Decision indicates vacating the Decision dated
December 2, 1996 on the basis that it is important to grant
the petition to withdraw (as in the Decision dated December 2,
1996), since the file wrapper application had not been filed.

The required File Wrapper Continuation Application
was filed with the PTO on April 21, 1997. A copy of the
return postcard is enclosed. Applicants rely on the papers
previously submitted. However, a further set of papers,
including the File Wrapper Continuation, are enclosed.

Having regard to this paper and the documents
previously submitted to the Office, including the fee required

under 37 CFR 1.17(i), it is submitted that this Renewed
Petition should be granted.

Respectfully submitted,



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